

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 85-25

AN ORDER REQUIRING

TOSCO CORPORATION, AVON REFINERY, CONTRA COSTA COUNTY, TO CEASE AND DESIST FROM DISCHARGING WASTES CONTRARY TO REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board), finds that:

1. Tosco Corporation, Avon Refinery, hereinafter the discharger, discharges wastes from its oil refinery into Suisun Bay. On May 15, 1979, the Board reissued NPDES Permit No. CA0004961 as Order No. 79-49 which prescribed waste discharge requirements for the discharge.
2. The requirements of Order No. 79-49 provide in part as follows:

"A. Effluent Limitations

1. The discharge of Waste 001 which contains constituents in excess of the following limits is prohibited:

<u>Constituent</u>	<u>Units</u>	<u>30-Day Average</u>	<u>Maximum Daily</u>
BOD(5-day, 20°C)(A)	lb/day	1320	2370
	kg/day	600	1080
Total Suspended Solids(B)	lb/day	1060	1660
	kg/day	480	750
....
Ammonia Nitrogen	lb/day	720	1580
	kg/day	327	718
....

(A) Incremental over intake water.

(B) Incremental over intake water from Hastings Slough used to purge canal.

2. The following allocations attributable to runoff and ballast which is treated and discharged as part of Waste 001 shall be added to the effluent limitations specified for Waste 001. The allocations below shall be calculated by the method specified in Section B of the Self-Monitoring Program.

ADDITIONAL POUNDS (KILOGRAMS) OF POLLUTANT PER THOUSAND
GALLONS OF FLOW TREATED AND DISCHARGED AS PART OF WASTE 001

<u>Constituent</u>	<u>STORM RUNOFF</u>		<u>BALLAST</u>	
	<u>30-day Average</u>	<u>Maximum Daily</u>	<u>30-day Average</u>	<u>Maximum Daily</u>
5-day 20°C BOD	0.21 (0.0953)	0.40 (0.181)	0.21 (0.0953)	0.40 (0.181)
Total Suspended Matter	0.17 (0.077)	0.26 (0.118)	0.17 (0.077)	0.26 (0.118)
Chemical Oxygen Demand	1.6 (.726)	3.1 (1.41)	2.0 (.907)	3.9 (1.77)
Oil and Grease	.067 (.0304)	.126 (.0572)	.067 (.0304)	.126 (.0572)

5. In any representative set of sample Waste 001 as discharged shall meet the following limit of quality:

The survival of test fishes in 96-hour bioassays of the effluent shall be a 90 percentile value of not less than 50 percent survival.

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B. Receiving Water Limitations

2. The discharge of wastes shall not cause the following limits to be exceeded in waters of the State in any place within one foot of the water surface:

.....

- d. Un-ionized ammonia: 0.025 mg/l as N, Annual Median
0.4 mg/l as N, Maximum"

3. The discharger's self monitoring reports indicate recurring violations of biochemical oxygen demand (BOD) and total suspended solids (TSS) during the past four winters. Discussions with the discharger indicate the reliability of their biological wastewater treatment system is not adequate. Major repairs to the rotating biological contactors have become necessary on an annual basis. In addition, violations of ammonia and toxicity limits have occurred as a result of inadequate operation of an ammonia recovery unit.
4. The discharger has a history of violations of effluent limitations for suspended solids and toxicity which have been related to inadequate operation of their biological wastewater treatment system. Cleanup and Abatement Order No. 78-016 was issued on August 24, 1978 and Cleanup and Abatement Order No. 79-006 was issued on April 5, 1979 as a result of the violations. The Orders were rescinded on December 27, 1979 based on compliance with the provisions.

4. The Board, on May 16, 1984, adopted Cease and Desist Order No. 84-20 requiring the discharger to cease and desist forthwith from discharging waste contrary to the requirements contained in Order No. 79-154, as listed in Finding 2 of Order 84-21 and repeated in Finding 2 of this Order.
5. The limitations contained in Order No. 79-154 have been superceded by those contained in Order No. 85-22 as adopted by the Board on February 20, 1985. Conditions and monitoring results described above indicate that the discharger is threatening to violate these new limitations:

A. Effluent Limitations

1. The discharge of Waste 001 containing constituents in excess of the following limits is prohibited:

<u>Constituents</u>	<u>Units</u>	<u>30-day Average</u>	<u>Maximum Daily</u>
BOD (5-day @ 20°C)	lbs/day kg/day	1700 774	3350 1520
TSS	lbs/day kg/day	1500 680	2340 1060
COD	lbs/day kg/day	12300 5610	23700 10800
Oil and Grease	lbs/day kg/day	561 255	1070 485
Phenolic Compounds	lbs/day kg/day	7.85 3.11	24.9 11.3
Ammonia as N	lbs/day kg/day	636 289	1400 636
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Settleable Solids	ml/l-hr	0.1	0.2
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2. In addition to the 30-day average and daily maximum pollutant weight allowances shown in A.1, allocations for pollutants attributable to stormwater runoff and ballast water discharged as a part of Waste 001 are permitted in accordance with the following schedules:

STORMWATER RUNOFF

<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u>	<u>Maximum Daily</u>
BOD (5-day @ 20°C)	mg/l	26	48
TSS	mg/l	21	33
COD	mg/l	180	360
Oil and Grease	mg/l	8	15
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BALLAST WATER

<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u>	<u>Maximum Daily</u>
BOD (5-day @ 20°C)	mg/l	26	48
TSS	mg/l	21	33
COD	mg/l	240	470
Oil and Grease	mg/l	8	15

. . .

The total effluent limitation for the discharge is the sum of the stormwater runoff allocation, the ballast water allocation and the mass limits contained in A.1. The total effluent limitation (both maximum and average) is to be computed by the discharger on a monthly basis as shown in Part B of the Monitoring Program.

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5. In representative samples of the effluent, the discharge of Waste 001 shall meet the following limit of quality:

TOXICITY:

- a. Until compliance is achieved with the final toxicity limitations pursuant to the schedule specified in Provision No. 13, the LC-50 of the effluent shall not be less than a value of 50.
- b. Pursuant to the compliance time schedule specified in Provision No. 14, the LC-50 of threespine stickleback (*Gasterosteus aculeatus*) test fishes in 96 hour bioassays shall not be less than 100.
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B. Receiving Water Limitations

2. The discharge of wastes shall not cause the following limits to be exceeded in waters of the State in any place within one foot of the water surface:

d. Un-ionized 0.025 mg/l Annual Median
Ammonia as N: 0.4 mg/l Maximum at any time ..."

7. The Board on February 20, 1985 after due notice to the discharger and other affected persons, conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

8. The Board finds that this action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED THAT Tosco Corporation, Avon Refinery, cease and desist from discharging wastes contrary to the requirements contained in Order No. 85-24 as listed in Finding 6 of this Order as follows:

- A. The discharger shall immediately comply with limitations of Order No. 85-24 as listed in Finding No. 6 of this Order.
- B. If the Executive Officer finds that the discharger has failed to comply with provisions of this Order, he is authorized after approval of the Board Chairman, to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.
- C. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.
- D. The Board will consider rescission of this Order after the discharger has demonstrated consistent compliance with the terms and conditions of this Order and Order No. 85-24 during the 1984-85 winter season.
- E. Order No. 84-20 is hereby rescinded.

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on February 20, 1985.

ROGER B. JAMES
Executive Officer